

IN THE CLAIMS

Please amend the claims as follows.

1. (Currently Amended) A ~~network-based commerce~~ system including:
 - i. a processor coupled to a memory through a bus; ~~[[and]]~~
 - ii. an auction price-setting process executed from the memory by the processor to cause the processor to automatically publish at least one of a proxy bid information and a reserve price ~~[[if]]~~ when a high proxy bid is less than the reserve price, the proxy bid information and the reserve price being associated with a listing for an item during an auction price-setting process~~[[.]]; and~~
 - iii. an auction price-setting process executed from the memory by the processor to cause the processor to keep the proxy bid information and the reserve price confidential when the high proxy bid is more than the reserve price.
2. (Currently Amended) The ~~network-based commerce~~ system of claim 1, wherein the auction price-setting process further causes the processor to automatically retract publication of the proxy bid information upon the high proxy bid exceeding the reserve price.
3. (Currently Amended) The ~~network-based commerce~~ system of claim 1, wherein the auction price-setting process further causes the processor to ~~facilitate a request for~~ an adjustment of a fixed price offer associated with a listing for an item utilizing the auction price-setting process, the request to be sent to a seller of the listing.
4. (Currently Amended) The ~~network-based commerce~~ system of claim 1, wherein the publication is performed during the auction price-setting process.
5. (Currently Amended) The ~~network-based commerce~~ system of claim 1, wherein the publication is performed after the auction price-setting process.

6. (Currently Amended) The ~~network-based-commerce~~ system of claim 1, wherein the auction price-setting process further causes the processor to automatically notify a buyer when the reserve price is published.

7. (Currently Amended) The ~~network-based-commerce~~ system of claim 1, wherein the publication includes publishing for view by a specific bidder only.

8. (Currently Amended) A ~~network-based-commerce system for facilitating a network-based auction price-setting process~~, the ~~network-based-commerce~~ system including:

- i. a processor coupled to a memory through a bus; [[and]]
- ii. an auction price-setting process executed from the memory by the processor to cause the processor to ~~facilitate an exchange of~~ at least one of a proxy bid information of a buyer and reserve price information of a seller [[if]] when a high proxy bid is less than the reserve price, the at least one of the proxy bid information and the reserve price information being associated with a listing utilizing the auction price-setting process[.]; and
- ii. an auction price-setting process executed from the memory by the processor to prevent the processor from exchanging proxy bid information and the reserve price when the high proxy bid is more than the reserve price.

9. (Currently Amended) The ~~network-based-commerce~~ system of claim 8, wherein the at least one of the proxy bid information and the reserve price information are automatically exchanged upon conclusion of the auction price-setting process.

10. (Currently Amended) The ~~network-based-commerce~~ system of claim 8, wherein the at least one of the proxy bid information and the reserve price information are automatically exchanged during the auction price-setting process.

11. (Currently Amended) The ~~network-based commerce~~-system of claim 8, wherein the auction price-setting process further causes the processor to automatically invite at least one of the seller and the buyer to exchange the at least one of the proxy bid and the reserve price information.

12. (Currently Amended) The ~~network-based commerce~~-system of claim 11, wherein at least one of the buyer and the seller is automatically invited to exchange the at least one of the proxy bid and the reserve price information when a proxy bid associated with the seller and the reserve price are within a predetermined proximity of each other.

13. (Currently Amended) The ~~network-based commerce~~-system of claim 12, wherein the predetermined proximity is within twenty percent of each other.

14. (Currently Amended) The ~~network-based commerce~~-system of claim 8, wherein the exchange of information is a secured exchange of information.

15. (Currently Amended) The ~~network-based commerce~~-system of claim 11, wherein the invitation is indicated in the listing.

16. (Currently Amended) The ~~network-based commerce~~-system of claim 11, wherein the invitation is indicated in the listing before the auction price-setting process.

17. (Currently Amended) The ~~network-based commerce~~-system of claim 11, wherein the invitation is indicated in the listing after the auction price-setting process.

18. (Currently Amended) The ~~network-based commerce~~-system of claim 8, wherein the exchange is performed by automatically publishing at least one of the at least one of the proxy bid information and the reserve price information.

19. (Currently Amended) The ~~network-based-commerce~~ system of claim 8, wherein the auction price-setting process further causes the processor to ~~facilitate~~ make a request for an adjustment of a fixed price offer associated with a listing for an item utilizing the auction price-setting process, the request to be sent to a seller of the listing.

20. (Currently Amended) The ~~network-based-commerce~~ system of claim 8, wherein the auction price-setting process further causes the processor to notify automatically the buyer when the reserve price has been published.

21.-25 (Canceled)

26. (Currently Amended) A ~~network-based-commerce~~ system including:

- i. a means for automatically publishing at least one of a proxy bid information and a reserve price ~~[[if]]~~ when a high proxy bid is less than the reserve price, the proxy bid information and the reserve price being associated with a listing for an item in an auction price-setting process; ~~[[and]]~~
- ii. means for automatically causing proxy bid information and the reserve price be kept confidential when the high proxy bid is more than the reserve price; and
- ~~[[ii]]~~ iii. a storage means, coupled to the means for automatically publishing, for storing the proxy bid information and the reserve price.

27. (Currently Amended) The ~~network-based-commerce~~ system of claim 26, further including:

- i. a means for automatically retracting publication of the at least one of the proxy bid information upon the high proxy bid exceeding the reserve price, the means for retracting coupled to the storage means.

28. (Currently Amended) The ~~network-based commerce~~ system of claim 26, further including:

- i. a means for ~~facilitating~~ making a request for an adjustment of a fixed price offer associated with a listing for an item utilizing the auction price-setting process, the request to be sent to a seller of the listing, the means for ~~facilitating~~ making the request coupled to the storage means.

29. (Currently Amended) A ~~network-based commerce~~ system for ~~facilitating a network-based auction price-setting process~~, the method including comprising:

- i. a means for ~~facilitating an exchange~~ exchanging of proxy information of a buyer and reserve price information of a seller, the proxy information and the reserve price information being associated with a listing of an item utilizing ~~[[the]]~~ an auction price-setting process; and
- ii. a storage means, coupled to the means for ~~facilitating~~ exchanging, for storing the proxy information.

30. (Currently Amended) The ~~network-based commerce~~ system of claim 29, wherein the proxy information and the reserve price information are automatically exchanged upon conclusion of the auction price-setting process.

31. (Currently Amended) The ~~network-based commerce~~ system of claim 29, wherein the proxy information and the reserve price information are automatically exchanged during the auction price-setting process.

32.-33. (Canceled)

34. (Currently Amended) A machine-readable medium having instructions to cause a machine to perform a method including:

- i. automatically publishing at least one of a proxy bid information and a reserve price ~~[[if]]~~ when a high proxy bid is less than the reserve price, the proxy bid information and the reserve price being associated with a listing for an item during an auction price-setting process~~[[.]];and~~
- ii. keeping proxy bid information and the reserve price confidential when the high proxy bid is more than the reserve price.

35. (Original) The machine-readable medium of claim 34, further including:

- i. automatically retracting publication of the proxy bid information upon the high proxy bid exceeding the reserve price.

36. (Currently Amended) The machine-readable medium of claim 34, further including:

- i. ~~facilitating~~ making a request for an adjustment of a fixed price offer associated with a listing for an item utilizing the auction price-setting process, the request to be sent to a seller of the listing.

37. (Original) The machine-readable medium of claim 34, wherein the publication is performed during the auction price-setting process.

38. (Original) The machine-readable medium of claim 34, wherein the publication is performed after the auction price-setting process.

39. (Original) The machine-readable medium of claim 34, further including:

- i. automatically notifying a buyer when the reserve price is published.

40. (Original) The machine-readable medium of claim 34, wherein the publishing includes publishing for view by a specific bidder only.

41. (Currently Amended) A machine-readable medium having instructions to cause a machine to perform a method of facilitating a network-based auction price-setting process, the method including

- i. ~~facilitating an exchange~~ exchanging of proxy information of a buyer and reserve price information of a seller, the proxy information and the reserve price information being associated with a listing utilizing the auction price-setting process.

42. (Original) The machine-readable medium of claim 41, wherein the proxy information and the reserve price information are automatically exchanged upon conclusion of the auction price-setting process.

43. (Original) The machine-readable medium of claim 41, wherein the proxy information and the reserve price information are automatically exchanged during the auction price-setting process.

44. (Original) The machine-readable medium of claim 41, further comprising:

- i. automatically inviting at least one of the seller and the buyer to exchange the proxy and the reserve price information.

45. (Original) The machine-readable medium of claim 44, wherein at least one of the buyer and the seller is automatically invited to exchange the proxy and the reserve price information when a proxy bid associated with the seller and the reserve price are within a predetermined proximity of each other.

46. (Original) The machine-readable medium of claim 45, wherein the predetermined proximity is within twenty percent of each other.

47. (Original) The machine-readable medium of claim 41, wherein the exchange of information is a secured exchange of information.

48. (Original) The machine-readable medium of claim 44, wherein the invitation is indicated in the listing.
49. (Original) The machine-readable medium of claim 44, wherein the invitation is indicated in the listing before the auction price-setting process.
50. (Original) The machine-readable medium of claim 44, wherein the invitation is indicated in the listing after the auction price-setting process.
51. (Original) The machine-readable medium of claim 41, wherein the exchange is performed by automatically publishing at least one of the proxy information and the reserve price information.
52. (Currently Amended) The machine-readable medium of claim 41, further including:
- i. ~~facilitating~~ making a request for an adjustment of a fixed price offer associated with a listing for an item utilizing the auction price-setting process, the request to be sent to a seller of the listing.
53. (Original) The machine-readable medium of claim 41, further including:
- i. notifying automatically the buyer when the reserve price has been published.
- 54.-58. (Canceled)
59. (Currently Amended) A method including:
- i. automatically publishing at least one of a proxy bid information and a reserve price ~~[[if]]~~ when a high proxy bid is less than the reserve price, the proxy bid information and the reserve price being associated with a listing for an auction price-setting process~~[[.]]~~; and

- ii. keeping proxy bid information and the reserve price confidential when the high proxy bid is more than the reserve price.

60. (Original) The method of claim 59, further including:

- i. automatically retracting publication of the proxy bid information upon the high proxy bid exceeding the reserve price.

61. (Currently Amended) The method of claim 59, further including:

- i. ~~facilitating~~ making a request for an adjustment of a fixed price offer associated with a listing for an item utilizing the auction price-setting process, the request to be sent to a seller of the listing.

62. (Original) The method of claim 59, wherein the publication is performed during the auction price-setting process.

63. (Original) The method of claim 59, wherein the publication is performed after the auction price-setting process.

64. (Original) The method of claim 59, further including:

- i. automatically notifying a buyer when the reserve price is published.

65. (Original) The method of claim 59, wherein the publishing includes publishing for view by a specific buyer only.

66. (Currently Amended) A method of ~~facilitating a network-based auction price-setting process, the method~~ including

- i. ~~facilitating an exchange~~ exchanging of proxy information of a buyer and reserve price information of a seller, the proxy information and the reserve price information being associated with a listing utilizing ~~[[the]]~~ an auction price-setting process.

67. (Original) The method of claim 66, wherein the proxy information and the reserve price information are automatically exchanged upon conclusion of the auction price-setting process.

68. (Original) The method of claim 66, wherein the proxy information and the reserve price information are automatically exchanged during the auction price-setting process.

69. (Original) The method of claim 66, further comprising:

- i. automatically inviting at least one of the seller and the buyer to exchange the proxy and the reserve price information.

70. (Original) The method of claim 69, wherein at least one of the buyer and the seller is automatically invited to exchange the proxy and the reserve price information when a proxy bid associated with the seller and the reserve price are within a predetermined proximity of each other.

71. (Original) The method of claim 70, wherein the predetermined proximity is within twenty percent of each other.

72. (Original) The method of claim 66, wherein the exchange of information is a secured exchange of information.

73. (Original) The method of claim 69, wherein the invitation is indicated in the listing.

74. (Original) The method of claim 69, wherein the invitation is indicated in the listing before the auction price-setting process.

75. (Original) The method of claim 69, wherein the invitation is indicated in the listing after the auction price-setting process.

76. (Original) The method of claim 66, wherein the exchange is performed by automatically publishing at least one of the proxy information and the reserve price information.

77. (Currently Amended) The method of claim 66, further including:

- i. ~~facilitating~~ making a request for an adjustment of a fixed price offer associated with a listing for an item utilizing the auction price-setting process, the request to be sent to a seller of the listing.

78. (Original) The method of claim 66, further including:

- i. notifying automatically the buyer when the reserve price has been published.

79.-83. (Canceled)